

LINCOLN PLANNING BOARD

JULY 27, 2005

MINUTES

The regular meeting of the Planning Board was held on Wednesday, July 27, 2005, at the Town Hall, 100 Old River Road, Lincoln, RI.

Chairman Mancini called the meeting to order at 7:06 p.m. The following members were present: Diane Hopkins, John Hunt, David Lund, John Mancini, Gregory Mercurio, Gerald Olean and Michael Reilly. Also in attendance were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand, and Assistant Town Solicitor Roger Ross. Margaret Weigner kept the minutes.

Chairman Mancini advised seven members present; have quorum.

SECRETARY'S REPORT

Mr. Olean made a motion to dispense with the reading of February 9, 2005 Subdivision Work Session minutes. Mr. Mercurio seconded motion. Motion passed unanimously.

Mr. Olean made a motion to accept the minutes as presented. Mr. Lund seconded motion. Motion passed unanimously.

Mr. Olean made a motion to dispense with the reading of May 25, 2005 minutes. Mr. Mercurio seconded motion. Motion passed unanimously.

Mr. Olean made a motion to accept the minutes as presented. Mr. Reilly seconded motion. Motion passed unanimously.

CONSENT AGENDA

Chairman Mancini stated that any item on the consent agenda could be removed and discussed separately by making a motion. There are five items on the agenda for consideration. Mr. Olean stated that some of these zoning items were before the Board before and Mr. Ranaldi explained that some items were continuances. Mr. Olean asked if there were any changes to any item and Mr. Ranaldi explained that on item #1, the plans were reduced to a master suite only. The Technical Review Committee (TRC) recommends approval on the revised plan, whereas the other plans were denied by the TRC. Ms. Hopkins questioned the Sayles Mill application, and Mr. Ranaldi stated that more information was needed. Chairman Mancini stated that a decision may be made later. Mr. Reilly made a motion to remove item #5 (AP 34, Lot 14) from the consent agenda. Mr. Olean

seconded motion. Motion passed unanimously.

Mr. Olean made a motion to accept the Consent Agenda except item #5 as recommended by the (TRC). Ms. Hopkins seconded motion. Motion passed unanimously.

MAJOR SUBDIVISION REVIEW

a. Meadow View Subdivision AP 29 Lot 3 Public Informational Meeting

Meridian Real Estate Services Great Road 7:15 p.m.

Chairman Mancini explained the process for the public informational meeting. The Town Planner and Engineer will give a brief rundown on the project, and then the developer will give a presentation. The Planning Board members will be allowed to ask questions, and the public will also have a chance to ask questions.

Mr. Ranaldi stated that this application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into 15 conventional single-family lots. The lot contains approximately 13 acres of land and is located in a RS-20 zone (20,000 sq. ft – Residential Single Family). Public water and sewers will service the homes. The Board has until August 11, 2005 to approve, approve with conditions or deny. There are a number of lots with building

constraints – wetlands, easements and slopes; three lots need waivers. There will be a landscaped buffer along Great Road. There will be only one driveway off of Great Road going into two cul de sacs. The proposed design is the best for the site. The location of the driveways off of the cul de sacs is a concern for snow plowing.

Chairman Mancini stated that at Master Plan level, the board is considering the concept of the plan with 15 lots. At Preliminary Plan level, driveways, sewer, water, and drainage are looked at very closely. After receiving Master Plan approval, the developer has one year to give specific information on issues such as drainage, etc.

Mr. Ranaldi stated that the TRC anticipates future problems. Drainage will be a critical issue for this development. The town is looking forward to working with the developer to design a drainage system, as drainage will be critical for the success of this development. Approval will be needed from RI Department of Environmental Management (RIDEM) at Preliminary Plan level. Sewers will be gravity fed. There are three alternatives for the water connection. A traffic report detailing sight distance will also be required at a later time. The time frame and waivers are critical issues at this point.

Chairman Mancini asked if the waivers are needed for buildable lot area. Mr. Reilly asked what lots would need waivers. Mr. Ranaldi replied that Lots #5, #6, and #7 need waivers. Mr. Olean asked if the

TRC was aware of waivers at the time of the TRC meeting and Mr. Ranaldi explained that the TRC didn't know what lots needed waivers. The applicants all receive the TRC report and may make revisions before the Planning Board meeting.

Mr. Mercurio asked the developer's engineer to explain the waivers needed. Mr. DiPrete explained that after perimeter wetlands or wetland buffers were adjusted, the suitable areas were calculated. For example, Lot #5 had 9,909 sq. ft. of perimeter wetlands/riverbank wetlands, leaving 13,846 sq. ft. of buildable lot area. Mr. Olean asked what that meant. Mr. Reilly stated that it is a buildable lot issue – each lot needs 20,000 sq. ft. Chairman Mancini asked Ms. Wiegand to define wetlands. Ms. Wiegand responded that the RIDEM's definition of wetlands applies to the town. RIDEM determines wetlands, whether it is 100' riverfront wetlands or the 50' jurisdictional area. A preliminary determination is needed from RIDEM; that doesn't mean that RIDEM would not allow encroachment into wetlands. In this case, the developer needs to show that there is enough buildable area for each lot.

Ms. Wiegand went on to explain that the drainage needs to be designed so as not to impact abutters or roads. A condition of approval on many subdivisions is that the developers not build into the seasonal high groundwater. The location of the detention basin does not show an outlet for water to drain into stream in back of property or into smaller wetland at Great Road and Wilbur Road. The

detention basin can not be built into the seasonal high groundwater. The engineering department will monitor contractors, demanding careful design and construction of basin. Ms. Wiegand further stated that the recommendations in the traffic report should be incorporated as a condition of approval. One concern she had was that the traffic count was done at a time when traffic was less. There was no date on the report – she may need to review the numbers. With the work on Route 116, the numbers may not be accurate. At worse, there is always at least one car waiting to get out of Great Road onto Route 116.

Attorney Bill Landry, representing the developer, stated that this development is unique. Many meetings were held with Town staff and a great deal of public input was given before reaching Master Plan level. There is 1,000 feet of frontage on Great Road, but the Town asked that they not use the frontage on Great Road to preserve the historic landscape. There will be an expensive landscape design along Great Road. They went through a number of designs before reaching a plan that was acceptable. He disagrees with the definition in the 2001 Subdivision Regulations that does not include wetland buffers in the buildable land area. Each lot has more than 20,000 sq. ft. buildable area according to the subdivision regulations. The applicant will go to RIDEM for wetland approval and satisfy their requirements – no waivers for wetlands. The development will satisfy the Town's regulations pertaining to healthy, safety and welfare. A traffic study will be submitted for Preliminary Plan and will satisfy the

Town's requirements.

Chairman Mancini stated that three lots need waivers under the Subdivision Regulations. Mr. Landry stated that under the new 2005 Regulations, more land is needed. Mr. Ranaldi stated that wetlands have been consistently interpreted to including wetland buffer zones as RIDEM considers all as wetlands.

Dennis DiPrete of DiPrete Engineering stated that he and Len Bradley met with Town staff. As of today, it is one lot. Fifteen lots are proposed. Wetlands have been delineated and the swamp in the back has been flagged as well as the wetlands at Great and Wilbur Roads. There are several design features to this project:

- 1) Alter Great Road for entrance only**
- 2) Conservation easements for remainder of frontage on Great Road**
- 3) Landscape architect**
- 4) Drainage – recognize storm water management – groundwater infiltration – no increase in runoff. Solutions are available.**

RAB Engineering has been hired for the traffic study and will provide more details at Preliminary Plan level. Onsite test holes, drainage design, RIDEM review will all be done.

Buildable lot area was determined by excluding things in regulations – no wetlands mentioned. Mr. Di Prete stated that there is enough

area to build the house, with a front and back yard. He believes each lot meets subdivision regulations. Mr. Olean asked besides the three lots in question, are any other waivers being requested. Mr. Di Prete stated that they would be seeking a waiver on concrete sidewalks. Mr. Mercurio asked if there would be no sidewalks or no concrete sidewalks and Mr. Di Prete stated that they would be seeking a waiver for no sidewalks. Mr. Olean asked how the buildable lot area was determined. Mr. Di Prete explained that they subtracted the constraints from each lot and listed the remaining buildable area. Mr. Mercurio stated that the Board does not like to grant waivers, and if one lot (#5, #6, or #7) was eliminated, then no waivers would be needed. Mr. DiPrete stated that the regulations are vague and there is room for discretion. Constraints not listed should not be included. Ms. Hopkins asked if the owner of lot #5 wanted a shed, would approval be need from RIDEM. Mr. Di Prete stated that the wetlands area would not be needed for a shed, as there is enough land on that lot.

Abutter Arthur Jacques of 1143 Great Road stated that his concerns are a safety factor and that road conditions are substandard. Great Road is approximately 21' wide and fire and rescue vehicles get bigger and bigger.

Abutter Jim Bethel of Great Road and Wilbur Road would like the property preserved as open space. When Partridge Drive was developed, water was forced onto his property. He now gets 6-8" of

water on his property when it rains. He stated that someone needs to be responsible – he can not see anyone maintaining the basin. He has a well on the corner of his property that is 10' deep, and it fills with water up to 2' from the top. He would like to see lots #4 and #5 eliminated to set the detention pond on. He further agrees with Mr. Jacques that since Great Road is only 20-21' wide, emergency vehicles and school buses will not fit with cars backed up on Great Road.

Chairman Mancini asked Ms. Wiegand if detention ponds have to be 50' away from property line and Ms. Wiegand responded that it is not in the Subdivision Regulations.

Abutter David Smith of 10 Whalen Drive reiterated what Mr. Bethel said. When school is in session, traffic is backed up on Great Road. If there are no sidewalks, kids will walk down to Great Road. He asked if the drainage system can be tied in to the sewer system and Chairman Mancini stated that they can not do that.

Pat Choiniere, who takes care of the Valentine Whitman House, stated that Great Road is part of the RI Scenic Ride, 300 Years in 300 Miles, and Barbara Bush's Preserve America. The Whitman House is one of the last stone-enders in New England. She lives nearby, and her grass is brown, where the grass at the Whitman House is green due to the water on the property.

Abutter Cheryl Kiley of 8 Whalen Drive requested an impact of the development to existing homeowners. She is concerned with the traffic comments. Whalen Drive is a cut-through to the high school.

Abutter Charles Roberts of 1114 Great Road is concerned with the traffic and the maintenance of the detention basin. Ms. Wiegand stated that the homeowner maintains the aesthetics of the basin, while the Town maintains the structure.

Chairman Mancini stated that the development can not add to the water runoff already coming off the property.

Abutter Joyce Bethel stated that they are the lowest and closest abutter to the development. She is concerned with the detention pond. Her property has too much water – the water table is too high. Laws are needed to prevent developers from building on wetlands.

Chairman Mancini explained that there are laws to protect developers and abutters. RIDEM determines wetlands. The Planning Board is limited to what they can do, but they do look to make sure all are in compliance.

Dan Bethel of 12 Wilbur Road spoke about holding ponds in other subdivisions. The water in the holding pond at Butterfly Estates goes over the top and into the road. He also has traffic concerns with traffic on Wilbur Road and Breakneck Hill Road and feels that the

speed limits should be lowered.

Abutter Joe Kiley of 8 Whalen Drive urged the Board to do a site walk of the property as suggested by Ms. Wiegand on previous subdivisions.

Chairman Mancini explained that sometimes the applicant receives Master Plan approval but not Preliminary Plan approval due to issues.

At Master Plan level, nothing happens. The concepts for developments and alterations of land takes place at Master Plan level.

Kayne D'Amore of 4 Meeting House Road stated that she is at the peak of the hill and her sump pump is constantly running. She is concerned with traffic on Great Road and the dangers of children waiting on Great Road for the bus with traffic traveling at 50 mph.

Mr. Olean made a motion to close the public hearing. Mr. Mercurio seconded the motion. Motion passed unanimously.

Chairman Mancini reminded the Board that Mr. Ranaldi stated that a decision on Master Plan must be made by August 11, 2005. There are a number of options – to approve, deny or ask the developer for an extension. Chairman Mancini asked Mr. Landry if the applicant would be willing to consider a 30-60 day extension and Mr. Landry replied yes. Chairman Mancini stated that the Board would like to review the requested waivers and a traffic study would be needed. Mr. Reilly commented that a traffic study should be done while school is in

session. Mr. Landry stated that there was no problem updating the traffic study. Chairman Mancini stated that the Board sometimes asks for more information to satisfy concerns. Mr. Reilly stated that the three lots in question - #5, #6, & #7 – would not need a waiver if one lot was eliminated.

Mr. Ross did not agree with Mr. Landry and Mr. Di Prete that the wetlands definition in the subdivision regulations on the buildable lot area was too narrow. Mr. Ranaldi stated that RIDEM regulations include buffers and the Town interprets it the same.

Mr. Mercurio made a motion to grant an extension through the end of two Planning Board meetings to answer the Board's concerns on traffic, groundwater runoff, location of detention pond, resolution of the language defining buildable lot area to the satisfaction of the Town, and the addition of sidewalks to the development. Mr. Olean seconded motion. Motion passed unanimously.

**b. Rivers Subdivision AP 23 Lots 30 & 119 Master Plan Discussion/
Estate of Anna M. Rivers Old River & Lower River Road Approval**

Mr. Ranaldi stated that a public informational meeting was held on this project last month. The Board has until August 18, 2005 to make a decision on Master Plan. This application is under the 2001 Subdivision Regulations and represents the subdivision of two lots into six conventional single-family lots. The lots contain

approximately 4.38 acres of land and are located in zoning district RS-12 (12,000 square feet – Residential Single Family). The proposed homes are to be serviced by public water and sewers. No new roadway is proposed. The placement of the houses and driveways will be a concern because of the considerable amount of ledge on property. Any blasting or drilling could have an adverse impact on existing structures. Old water lines may be on property and will have to be investigated. A Physical Alteration Permit (PAP) is required from RI Department of Transportation. According to the traffic report, there is adequate stopping sight distance. Drainage on Lower River Road is an existing problem, but the developer is working on offsite improvements to alleviate water problems. A wetlands permit is needed from RIDEM. There is adequate buildable area for each lot. The TRC has recommended approval with the following conditions:

1. The placement and slope of the proposed driveways on Lower River Road must be carefully located so as not to cause increased runoff onto existing properties.
2. The subdivision will require approval from RIDEM Wetlands.
3. A condition of preliminary plan approval shall include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation, as determined by a certified soil evaluator.
4. In order to prevent any adverse impact to the existing properties on eastern side of Lower River Road, the applicant must research and propose drainage mitigation to address existing drainage concerns

during the preliminary plan stage.

5. A note must be added to the plans that says that whenever possible, mature and healthy trees be preserved and protected during construction.

6. The Lincoln Water Commission must certify that water service is available. The LWC's approval must be a condition of preliminary plan approval for subdivision.

7. The applicant must apply to the sewer supervisor for availability of public sanitary sewers to the project.

8. The developer must apply to Narragansett Bay Commission for indirect discharge permits.

Chairman Mancini stated that a decision must be made tonight. The TRC has recommended approval with conditions. Ms. Wiegand stated that her only concern was the existing drainage problems on Lower River Road. Mr. Ranaldi is confident that the problems will be resolved with the developer working with the Town Engineer and Public Works Director.

Mr. Lund made a motion to approve the development based on the TRC's recommendations and conditions. Mr. Mercurio seconded motion. Motion passed unanimously.

c. Riverfront Major Subdivision AP 45 Lot 53 Master Plan Discussion/

DOSCO, Inc. Angell Road Approval

Mr. Ranaldi stated that this application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into five conventional single-family lots. The lot contains approximately 6.36 acres of land and is located in an RA-40 zone (40,000 sq. ft. – Residential Single Family.) The homes are to be serviced by a public cul de sac and public water and sewer. The Board has until October 8, 2005 to approve, approve with conditions, or deny. The TRC has reviewed the plans. According to the site plan, the detention basin has been moved closer to the entrance on Angell Road. Wells within 200' must be shown. A waiver has been requested for the proposed road to be less than 150' from Rum Road. For Preliminary Plan, granite bounds and fencing to indicate public access to the Town's right of way to the public open space surrounding this development will be required. A certified soil evaluator estimated the seasonal high ground water elevations. The Town Engineer witnessed the test pits. A wetlands permit from RIDEM is required. According to the traffic report, there is adequate sight distance at the proposed road intersection with Angell Road. Public water and sewer are available. The Town Engineer and Public Works Director observed existing drainage conditions during a recent, high-intensity rainfall event. There was no accumulation of water in the area of the proposed intersection, though there was puddling approximately 200' down the road. The TRC recommends advancing to the public informational meeting.

Attorney Joseph Nottie for the developer stated that the drainage easement has been moved. There will be no private wells or septic systems – public utilities are available. An easement will be given to the Town from the cul de sac to town owned land. A waiver is needed for less than 150' distance between roads. Ground water accommodations are noted on plans as well as wetland delineations. The looped water line has also been amended on plans.

Mr. Mercurio stated that he is the delegate from Limerock. He asked about the width of the road and the diameter of cul de sac. Joshua Rosen, of Commonwealth Engineering, stated that the road will be 30' paved, the cul de sac will have a diameter of 40' and the right of way will be 50'. Mr. Mercurio asked about sidewalks, and Mr. Rosen stated there would be sidewalks on one side. Mr. Mercurio asked about frontage deficit on lots #4 and #5. Ms. Wiegand responded that the Zoning Official reviewed the plans and determined that the lots met the zoning requirements. Mr. Mercurio asked if there was any study done on sewer impact to pumping station and Ms. Wiegand replied that the sewers would be gravity fed to Angell Road south and the pumping station could handle the project. Mr. Mercurio stated that his biggest concern is the water problems on Angell Road. In the winter, the ground freezes, the water is not absorbed, and the area is slick, until a month after the ground thaws. Mr. Lund agreed with the water problems in the area. Mr. Mercurio does not want water problems exacerbated.

Linda Layer of Commonwealth Engineers stated that the drainage is not fully designed at Master Plan level. The water problem is an existing problem, but they will help to mitigate the problem. The Town is seeking to buy Camp Meehan.

Mr. Ranaldi stated that the Board should move forward with this project as the Town is moving forward in trying to purchase Camp Meehan.

Mr. Olean was concerned with the letter regarding sewer hookup dated March 10, 2005. He would like an updated letter.

Mr. Olean made a motion to move to public informational meeting in August. Mr. Reilly seconded motion. Motion passed with Mr. Mercurio opposed.

Chairman Mancini stated that no development is going to be denied or approved without going to a public hearing.

d. Lincoln Garden Estates AP 43 Lots 20 & 21 Master Plan Discussion/

Steven, Stuart & Cara Popovich Old Louisquisset Pike Approval

Mr. Ranaldi stated this application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into four conventional single-family lots. The subject lot contains

approximately 2.35 acres of land and is located in zoning district RS-20 (20,000 square feet – Residential Single Family). The proposed homes are to be serviced by a public cul-de-sac road and public water and sewer. This project is in front of the Planning Board for a Master Plan discussion and review. The Board has until November 7, 2005 to make a decision. The applicant sat in on the TRC meeting and asked to postpone presentation until the August meeting without prejudice.

e. Forest Park AP 20 Lot 15 Preliminary Plan

LPD Development, LLC Breakneck Hill Road Extension

Mr. Ranaldi stated that the applicant's attorney is seeking a one year extension to accommodate RIDEM Wetlands and ISDS Suitability Determination permitting. The Preliminary Plan Approval expires on July 28, 2005. The TRC has reviewed the request and recommends approval of a one year extension. Mr. Ranaldi stated that the applicant is ready to post a bond on the project.

Mr. Lund made a motion to extend Preliminary Plan Approval for one year. Mr. Olean seconded motion. Motion passed unanimously.

MAJOR LAND DEVELOPMENT REVIEW

a. Nafta Mills AP 34 Lot 14 Master Plan Land Development

A.F. Homes Old River Road Public Informational Meeting 8:15 p.m.

Mr. John Hunt recused himself from this matter, as he is an abutter to the property.

Mr. Ranaldi stated that this application is under the 2005 Subdivision Regulations and represents the development of up to 44 condominium units (55 and over age restricted). The lot contains approximately 7.66 acres of land and is located in a RG-7 zone (Residential General). The Board has until October 8, 2005 to approve, approve with conditions, or deny. The project is to be serviced by public water and sewer. No new road is proposed; the buildings will be serviced by a private driveway.

Chairman Mancini asked if any waivers were being requested. Attorney John Mancini stated that no waivers are required, but they are seeking a recommendation from the Planning Board for a Special Use Permit from the Zoning Board. The TRC has determined that the project is consistent with the Comprehensive Plan. The zone change was approved by the Town Council, and the applicant will appear before the Zoning Board on August 2, 2005. Attorney Mancini stated that Master Plan approval should be granted.

The list of abutters was read; no abutters were present.

Mr. Olean made a motion to close the public hearing. Mr. Mercurio

seconded motion. Motion passed unanimously.

Mr. Reilly stated that he has been against the project from the beginning. He feels that the project does not fit the neighborhood as it adds to the density and there should be single-family homes. He questioned the traffic report that stated that single-family homes would generate more traffic than the proposed condos. Mr. Ranaldi stated that single-family homes generate more trips than a townhouse. He asked how many single-family house lots there could be and Engineer David Dimeo stated that there could be 12 single-family lots. Attorney Mancini asked that he look at the project as presented. Mr. Reilly asked about the environmental cleanup and if the soil is clean now. Attorney Mancini stated that approval from RIDEM and RIDOT for a Physical Alteration Permit will be issued at Preliminary Plan level. The applicant received a letter today from RIDEM stating that Master Plan approval was needed.

Mr. Mercurio made a motion to approve the development at Master Plan level due to the consistency of the Comprehensive Plan and to include the conditions recommended by the TRC. Ms. Hopkins seconded motion. Ms. Hopkins, Chairman Mancini, Mr. Olean, and Mr. Mercurio voted in favor of motion. Mr. Lund and Mr. Reilly were opposed. Mr. Hunt recused himself. Vote carries.

Mr. Lund made a motion to send a positive recommendation to the Zoning Board due to the consistency of the Comprehensive Plan. Mr.

Olean seconded motion. Mr. Reilly was opposed. Mr. Hunt recused himself. Vote carries.

There being no further business to discuss, on a motion made by Mr. Olean and seconded by Mr. Hunt, it was unanimously voted to adjourn. Meeting adjourned at 10:15 p.m.

Respectfully submitted,

Margaret Weigner

Attached July 27, 2005 TRC Report:

On July 19, 2005 at 3:00 pm the Technical Review Committee met to review the agenda items for the July 27, 2005 Planning Board meeting. In attendance were Al Ranaldi, Kim Wiegand, and Russell Hervieux. Below are the Committee's recommendations:

Major Subdivision Review

a. Meadow View Subdivision AP 29 Lot 3 Public Informational Meeting -

This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into fifteen conventional single-family lots. The subject lot contains approximately 13.0 acres of land and is located in zoning district RS-20 (20,000 square feet – Residential Single Family). The proposed homes are to be serviced by public water and sewers.

On April 13, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by August 11, 2005 or within such further time as may be consented to by the applicant. The applicant is in front of the Planning Board for a public informational meeting.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations master plan submission standards and requirements as well as standard engineering practices. The submission includes a set of six sheets entitled “Master Plan Submission, Meadow View”, located on Great Road, Lincoln, Rhode Island, AP 29 Lot 3, prepared for Meridian Real Estate

Services, Inc. by DiPrete Engineering Associates, Inc., dated November 2004, latest revision date 2/18/05. A document entitled "Master Plan Narrative and Supporting Material" by the same engineers dated 2/14/05 was also received. On June 24, 2005 the Engineering Division received a report entitled "Traffic Impact Assessment" dated June 21, 2005 prepared by RAB Professional Engineers, Inc. for Meridian Real Estate Services, Inc. for the above project. The submission was reviewed and the following was noted.

Site design - A number of the lots have building constraints. The developer will need to document the areas of 15% or greater slopes, wetlands, easements and/or other physical constraints that hinder building, taking into account any overlap and then show the minimum buildable area remaining for each lot. The Site Plan must take into account the wetlands in determining the buildable areas. If a lot requires a waiver from the minimum buildable area, the lot needs to be identified and a description of the need for the waiver given. A note should be added that the developer is proposing to develop a landscaped buffer area along Great Road. The note should indicate that this buffer will be recorded as an easement. The Public Works department is also concerned about the proposed locations of the driveways at the end of the two cul-de-sacs. Special consideration should be given to the placement of these driveways so that future snow can be easily stored within these areas.

Wetlands - The wetlands have been flagged by Natural Resources Services, according to the above mentioned narrative report. RIDEM Wetlands approval will be required for preliminary approval of the

subdivision.

Utilities - The subdivision is proposed to be connected to public sanitary sewers and water. The sanitary sewers system is proposed to be gravity. No new pumping station is proposed. The development would flow by gravity sewer in Great Road to the Great Road South pumping station. Capacity in this pumping station is adequate. No new water services can be dead-ended. There are several acceptable alternatives for looping the public water line that have been received by the Lincoln Water Commission (LWC) from the developer. Water service requires design approval from the LWC.

Drainage - Proposed drainage is shown conceptually on the master plan with a proposed location for a detention basin. The actual size of the basin will depend on the depth to seasonal high groundwater. The bottom of the detention basin must be installed above that elevation. The narrative report states that a seasonal high groundwater elevation will be determined by a certified soil evaluator. It also states that the subdivision will include the condition that any finished floor or basement must be at least one foot above that elevation. This is imperative due to the drainage problems in the area. Great Road has minimal street drainage infrastructure. Some storm water runoff from Great Road discharges along the road onto the property and must be allowed to continue to flow. Storm water flows overland from the site to a stream on the eastern side of the property and also to an isolated wetland in the southern most corner of the property. Increased flow through the wetlands could impact abutting property owners and Great Road. The impact from the

detention basin on the wetlands must be very carefully considered. Preliminary Plan design of the drainage will be critical.

Traffic - Great Road is a narrow and winding road and therefore the Town requested information regarding traffic safety issues, particularly sight distance. The Traffic Impact Assessment reviewed the impact of traffic on the existing Great Road and at the intersections of the proposed road for safety concerns. The report found that the intersection of the proposed road with Great Road will continue “to operate in an efficient manner with little to no delay”. Also, according to the report, there is adequate sight distance at the proposed entrance to the project. However, the sight distance will be affected by “the existence of roadside obstructions that may restrict or limit sight lines to and from the proposed intersection.” The report recommends selective clearing and grading within the roadway right of way along the frontage of proposed lots 1, 2 and 15. This area will need to be delineated on the plans and a landscaping plan approved for it. It appears that the impacted areas will fall within the scenic road conservation easement that is already proposed.

b. Rivers Subdivision AP 23 Lots 30 and 119 Master Plan Discussion /

Estate of Anna M. Rivers Old River & Lower River Road Approval

This application is under the 2001 Subdivision Regulations and represents the subdivision of two lots into six conventional single-family lots. The subject lot contains approximately 4.38 acres

of land and is located in zoning district RS-12 (12,000 square feet – Residential Single Family). The proposed homes are to be serviced by public water and sewers. No new roadway is proposed.

On April 20, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by August 18, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above proposed development according to the Land Development and Subdivision Regulations standards and requirements and standard engineering practices. The plans reviewed are entitled “Master Plan Submission”, Lincoln, RI, Major Subdivision, AP 23 Lots 30 & 119, Old River Road & Lower River Road, prepared for Estate of Anna Rivers c/o Brian Balsofiore, Executor by Thalmann Engineering Co., Inc. dated March 16, 2005. A report entitled “Master Plan – Development Impact Narrative” dated March 2005 prepared by the above for the above applicant was also received. A report on the sight distance was prepared for the proposed subdivision by RAB Professional Engineers, Inc. dated May 25, 2005. The application was reviewed and the following was noted.

Site Plan - The placement of the houses and driveways on the sites will be a concern for several reasons. The site has a significant amount of ledge visible. Any blasting or drilling could have an adverse impact on existing structures. Fractured rock could allow groundwater flow through the soil into existing basements. The placement and slope of the driveways on Lower River Road must be carefully located so as not to cause increased runoff on the properties below.

Utilities - A note on the plan states that the applicant proposes public water and sewers connections via existing lines in Old River Road and Lower River Road. The applicant must contact the Lincoln Water Commission (LWC) regarding service to the development. The LWC must certify that water service is available. The LWC's approval must be a condition of preliminary plan approval for subdivision. The applicant must apply to the sewer supervisor for availability of public sanitary sewers to the project. The developer must apply to Narragansett Bay Commission for indirect discharge permits.

Traffic - Since the driveways are proposed onto Old River Road, a State highway, the developer must obtain a Physical Alteration Permit from RI Department of Transportation for the proposed project. This must be a condition of preliminary plan approval. According to the Sight Distance Analysis report and a letter submitted with the site plan, driveways can be located so as to have adequate stopping sight distances in accordance with the appropriate criteria. As noted in the report, some clearing along the frontage of Lower River Road will be necessary to achieve this view. This area of clearing will need to be

shown on the preliminary plans.

Drainage - The site drains generally from Old River Road south and easterly towards Lower River Road. Several properties on the eastern, lower side of Lower River Road have concerns with storm water runoff. Lower River has an existing problem with drainage flowing from the west side over the road to the lower properties, particularly impacting an existing driveway. There is no drainage system, open or closed, to collect runoff until near the intersection of Lower River Road and Old River Road. In order to prevent any adverse impact to the existing properties on eastern side of Lower River Road, the Engineering Division recommends that the subdivision approval must specify that the proposed drainage mitigation include existing drainage concerns.

A condition of any approval should also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation, as determined by a certified soil evaluator, as groundwater flow discharged to the surface would cause problems to the existing roads and properties. The engineer has conducted soil evaluations on the property which were witnessed by the Town Engineer.

Wetlands - The subdivision will require approval from RIDEM Wetlands. The plan and the report describe the wetlands on the site. The information presented on the site plan indicates that there is adequate buildable area for each lot. Documentation for this assessment was submitted as a letter from RIDEM verifying the delineation performed by Natural Resources Services, Inc.

While the above noted concerns may look long, these concerns are offered to the applicant so they can begin to address them in the preliminary plan stage. Therefore, based on the above comments and the requirements of the Master Plan stage, the Technical Review Committee recommends that this master plan project be Approved with Conditions. The conditions are as follows:

- 1. The placement and slope of the proposed driveways on Lower River Road must be carefully located so as not to cause increased runoff onto existing properties.**
- 2. The subdivision will require approval from RIDEM Wetlands.**
- 3. A condition of preliminary plan approval shall include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation, as determined by a certified soil evaluator.**
- 4. In order to prevent any adverse impact to the existing properties on eastern side of Lower River Road, the applicant must research and proposed drainage mitigation to address existing drainage concerns during the preliminary plan stage.**
- 5. A note must be added to the plans that says that whenever possible, mature and healthy trees be preserved and protected during construction.**
- 6. The LWC must certify that water service is available. The LWC's approval must be a condition of preliminary plan approval for subdivision.**
- 7. The applicant must apply to the sewer supervisor for availability of public sanitary sewers to the project.**

8. The developer must apply to Narragansett Bay Commission for indirect discharge permits.

c. Riverfront Major Subdivision AP 45 Lot 53 Master Plan Discussion /

DOSCO Inc. Angell Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into five conventional single-family lots. The subject lot contains approximately 6.36 acres of land and is located in zoning district RA-40 (40,000 square feet – Residential Single Family). The proposed homes are to be serviced by a public cul-de-sac road and public water and sewer. This project is in front of the Planning Board for a Master Plan discussion and review.

On June 10, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by October 8, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed development according to the 2005

Land Development and Subdivision Regulation's Master Plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled "Master Plan Submission for Riverfront Major Subdivision", Portion of AP 45, Portion of Lot 53, in Lincoln, Rhode Island, prepared for the applicant Dosco Inc. by Commonwealth Engineers & Consultants, Inc., dated June 2005.

Site Plan - The location of the drainage easement to access the detention basin should be as close to the entrance road immediately off Angell Road as possible. Wells and septic systems within 200 feet must be shown or a note that there are none within 200 feet stated on the plan. The buildable area for each lot must be calculated. The buildable area is that area remaining after wetlands, steep slopes and other physical constraints, such as easements, are excluded. A waiver is required for the proposed road to be less than 150 feet from the unimproved Rum Road, a paper street. The Engineering Division would prefer that this paper street not be improved for public vehicular access due to sight distance issues. The site plan also presents a public right of way to the existing Town of Lincoln's public open space property surrounding the site. The TRC recommends that this right of way be delineated by fencing and granite bounds at both ends of the easement. The fencing will create visual demarcation to the public open space. A sign should also be installed to indicate to the public that this is a public access point.

Groundwater - A certified soil evaluator estimated the seasonal high ground water elevations spread out across five locations on the

property. The Town Engineer witnessed the excavation of test pits. The applicant previously submitted Site Evaluation Forms for the groundwater and soil performed by a certified soil evaluator. There is a note on the plan specifying that finished floors or basements must be set above the seasonal high ground water elevation. This must be a condition of approval for the subdivision.

Wetlands - The applicant previously submitted a letter from Mason & Associates, Inc. a wetlands biologist. The proposed subdivision must obtain a RIDEM Wetlands Preliminary Determination permit as a condition of approval for subdivision.

Traffic - The engineer submitted a revised report entitled "Safety Analysis", dated October 26, 2004, revised February 23, 2005 entitled "Safety Analysis". Based on the findings in the report, the Engineering Division has concluded that adequate sight distance is available at the proposed roadway intersection with Angell Road.

Utilities - The plan shows public water and sewer connections to the proposed lots. There is an existing letter in the file dated (3/10/05) from the sewer supervisor stating that sewers are available to the property. The Lincoln Water Commission (LWC) has communicated to the Town that public water service is available to this project and can receive preliminary approval for water line design. The water line is proposed to be looped through an existing public right of way, Rum Road, which meets LWC requirements.

Drainage - The Town Engineer and the Director of Public Works observed existing drainage conditions during a recent, high-intensity rainfall event. The road is crowned in the area of the proposed

intersection giving access onto Angell Road, so the storm water flows along both sides of the road. There does not appear to be a drainage swale or eroded edge in the area of the proposed intersection. No accumulation of water was observed. However, at the lower portion of Angell Road below the subdivision where the brook crosses the road, storm water accumulation was observed on the sides of the road. This was observed mostly on the northeast side. Drainage design for the subdivision must include no increase of storm water from the subdivision onto the road so as not to exacerbate any drainage problems lower down on Angell Road.

If the applicant can successfully address the above noted concerns, the TRC recommends that this project advance to a public informational meeting for public review.

d. Lincoln Garden Estates AP 43 Lot 20 and 21 Master Plan Discussion /

Steven, Stuart, and Cara Popovich Old Louisquisset Pike Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into four conventional single-family lots. The subject lot contains approximately 2.35 acres of land and is located in zoning district RS-20 (20,000 square feet – Residential Single Family). The proposed homes are to be serviced by a public cul-de-sac road and public water and sewer. This project is in front of the Planning Board for a Master Plan discussion and

review.

On July 8, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by November 07, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed development according to the 2005 Land Development and Subdivision Regulation's Master Plan submission standards and requirements and standard engineering practices. We presented our concerns about the project to the applicant's engineer. During this meeting, the engineer decided that it would be better to postpone Planning Board review of the project until the August meeting. The engineer will be compiling additional information during this time.

**e. Forest Park AP 20 Lot 15 Preliminary Plan Extension
LPD Development, LLC Breakneck Hill Road**

On July 28, 2004, the above noted project received Preliminary Plan

approval. The applicant is requesting a one year extension of this approval to accommodate DEM Wetlands and ISDS Suitability Determination permitting. The Technical Review Committee reviewed the applicant's request and recommend Approval of the extension for Preliminary Plan approval by one year. The TRC would like to remind the applicant that before they come to post a bond for the project, that they review the bond amount with the Town first.

Major Land Development Review

a. Nafta Mills AP 34 Lot 34 Master Plan Land Development -

A.F. Homes Old River Road Public Informational Meeting – 8:15 PM

This application is under the 2005 Subdivision Regulations and represents the residential development of up to 44 condominium units. The subject lot contains approximately 7.66 acres of land and is located in zoning district RG-7 (Residential General). The proposed condominium project is to be serviced by public water and private septic system. The buildings will be serviced by a private driveway. No new roadway is proposed.

On June 10, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within

such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by October 8, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division has reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations standards and requirements and standard engineering practices. The plans reviewed were a set of two sheets each entitled "Nafta Mills, AP 34 Lot 14", Lincoln, Rhode Island prepared for A.F. Homes by Cataldo Associates, Inc., issue date February 22, 2005. A letter preliminarily confirming that public water supply is available has been received by the Engineering Division. A report entitled "Traffic Impact Study for the Proposed Nafta Mills Condominium Development", prepared for A.F. Homes, prepared by Cataldo Associates, Inc. November 15, 2004, revised April 26, 2005.

Site Plan - The site has a Settlement Agreement approved by RIDEM to remediate contamination left by the former use as a mill that allows the reuse as an industrial or commercial site if the cleanup is completed in accordance with approved plans. The site must be cleaned up to the levels approved for residential use with a new Settlement Agreement with RIDEM. The developer has stated that they will develop a new work plan and site design that will address the concerns of the Settlement Agreement. Development of the site

will require approval from RIDEM Wetlands. At the Preliminary Plan review stage, the developer will be required to present the vegetative buffer plan for Old River Road and address any concerns that the Manville Fire District may have for fire safety.

Traffic - Access to the site is from a State highway, Old River Road. The project will require a Physical Alteration Permit from RIDOT for access to the property. The traffic report was reviewed. According to the report, the volume of traffic for this type of development will not adversely impact the proposed intersection with Old River Road or the adjacent, critical intersections. The report covered the traffic on Mussey Brook Road. The sight distance appears to be adequate.

Sanitary Sewers - According to the Sewer Supervisor, there is a relatively new line from Old River Road on the westerly half of the property to an old flow metering station that connects to an older sewer line that discharges to sewers in New River Road and ultimately to the Narragansett Bay Commission's sewer interceptor. There is capacity in the lines; however, with any proposed new construction at the site, the metering station must be removed. Also, the line must be televised, evaluated and repairs made to it as necessary in order to ensure its proper functioning.

Water - The Lincoln Water Commission has been contacted. A letter from the superintendent states that public water is available, subject to final project approval. According to the superintendent of water, the site may have old services that were not disconnected. These must be investigated. All existing lines must be correctly shown on the plans and ensured that they are properly disconnected.

Drainage - The site drains to Mussey Brook, which crosses through the residential neighborhood to the south. This area has experienced localized flooding problems. Careful design of any drainage facilities must include mitigation of adverse impacts from increased water quantity, as well as water quality and peak rate of flow. Location of any existing wells and/or septic systems within 200 feet of the property must be shown on the plan.

August Zoning Applications

John & Elizabeth A'Vant, 29 Mark Drive, Lincoln, RI – Dimensional Variance for side yard setback for the construction of an addition.

AP 19, Lot 80

Zoned: RS 20

Members of the Technical Review Committee visited the site and reviewed the revised site plans and application. Based on the revised plans, the proposed addition, consisting of a master bedroom suite and hallway, will be located in the rear of the right hand side of the property. The Committee recommends Approval of this dimensional variance. The TRC feels that the revised plans represent the least relief required, will not alter the general character of the surrounding area and will not impair the intent and purpose of the Zoning Ordinance and the Comprehensive Plan.

Jacob & Nina Litmanovich, 52 Blodgett Avenue, Pawtucket, RI/

Dimitry & Elena Litmanovich, 20 Linfield Circle, Lincoln, RI – Dimensional Variance for side yard setback for the construction of an addition at 20 Linfield Circle, Lincoln, RI.

AP 45, Lot 205 Zoned: RS 20

Members of the Technical Review Committee visited the site and reviewed the submitted site plan and application. Based on the submitted plans, the proposed addition, consisting of an extension of the existing garage will be located in the front of the property. The Committee recommends Denial of this dimensional variance. The TRC feels that this plan does not represents the least relief required, will alter the general character of the surrounding area and impair the intent and purpose of the Zoning Ordinance and the Comprehensive. The applicant has significant room in the back yard area to accommodate their needs.

Ferreira Concrete, 7 Tallman Avenue, East Providence, RI/Liquid Blue, 1 Crownmark Drive, Lincoln, RI – Dimensional Variance for rear yard setback for the construction of an addition.

AP 28, Lot 67 Zoned: MG- 0.5

Members of the Technical Review Committee visited the site and reviewed the submitted site plan and application. Based on the submitted plans, the proposed commercial addition will be located on the side of the existing building. The TRC feels that the requested dimensional variance is appropriate but the application does not

address some critical issues. The TRC identified an issue with the existing loading dock. Will this loading dock still be used after the new addition is constructed? If so, how will delivery trucks safely access it? Next, does the existing parking meet the parking requirements that will be needed for the new addition? If the applicant can successfully address these issues, the TRC recommends Approval of the dimensional application.

Sayles Mill Realty, 1136 Lonsdale Avenue, Central Falls, RI – Use Variance for dance studio and industrial incubator space for property located at 85 Industrial Circle, Lincoln, RI.

AP 2, Lot 88 Zoned: MG 0.5

Members of the Technical Review Committee visited the site and reviewed the submitted site plan and application. Based on the submitted package, the TRC could not offer a recommendation on this application. While the Committee in general liked the proposed reuse of the building, several concerns were expressed that the application did not address. The concerns are as follows: the committee does not know what “industrial incubator space” is and what types of uses will utilize this space, the committee was concerned about the amount of parking spaces needed for these uses, the committee was very concerned about fire safety within and around the buildings especially the long side of the building facing the pond, the committee was concerned about the amount and location of new signage, and the committee was concerned about

how the adjacent parking lot was going to be developed. The TRC would appreciate the opportunity to review a more detailed site plan and application that addresses these concerns.

A.F. Homes LLC, 114 Harcourt Avenue, Pawtucket, RI/NAFTA Mills, LLC, 215 Singleton Street, Woonsocket, RI – Special Use Permit for 44 condominium units age restricted for 55 and over for property located on Old River Road, Manville, RI.

AP 34, Lot 14 Zoned: RG-7

Members of the Technical Review Committee visited the site and reviewed the submitted site plans and application. The special use permit is for the construction of 44 condominium units that will be age restricted for 55 and over adults in a RG-7 zone. Based on the submitted plans, the Technical Review Committee recommends Approval with Conditions of this special use permit. The Committee feels that the proposed density is appropriate for the site and that existing and proposed site conditions provide significant protections to abutting property owners. The proposed project has eliminate the manufacturing zone located in the middle of a residential area and will offer additional housing options for the Town. The recommended conditions of the approval are that applicant fully address and/or exceed the conditions placed on the zone change by the Town Council and any conditions placed on the project by the Planning Board. The TRC feels that the special use permit is consistent with the general and specific goals and policies of the Comprehensive

Plan, represent the least relief required, will not alter the general character of the surrounding area and will not impair the intent and purpose of the Zoning Ordinance.